



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,263	02/24/2004	Harushi Muramatsu	040034	1218
23850 7590 05/28/2008 KRATZ, QUINTOS & HANSON, LLP 1420 K Street, N.W. Suite 400 WASHINGTON, DC 20005				
EXAMINER				
DAGER, JONATHAN M				
ART UNIT		PAPER NUMBER		
3663				
MAIL DATE		DELIVERY MODE		
05/28/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/784,263

Applicant(s)

MURAMATSU ET AL.

Examiner

JONATHAN M. DAGER

Art Unit

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-8 is/are pending in the application.
- 4a) Of the above claim(s) 1-4 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

Applicant's arguments, see pages 6-8, filed 26 March 2008, have been fully considered but they are not persuasive.

The Applicant has contended that Prabhakaran (US 5,922,040), as modified by Jones (US 5,623,260), fails to describe, teach, and/or suggest all that is embodied by base claim 5, specifically the amended embodiment:

"notifying point setting means configured to set a notifying point on said running route that the user desires to be notified of arrival of the bus, said notifying point corresponding to a location; and notifying means configured to notify an arrival at said notifying point in response to a notifying command transmitted through a communication line including the internet, and on the side of the management center" (See arguments, page 7, paragraph 1, and Claims, page 4 lines 19-24)

The Examiner respectfully disagrees; as to the above embodiment, it was established in the last action that the icons on the display in fig. 1 of Prabhakaran can also represent any mobile entities such as automobiles, vans, trucks, ambulances, animals, people, boats, ships, motorcycles, bicycles, tractors, moving equipment, trains, courier services, container ships, shipping containers, airplanes, public utility vehicles, telephone company vehicles, taxi cabs, **buses**, milk delivery vehicles, golf carts, beverage delivery vehicles, fire trucks and vehicles, hazardous waste transportation vehicles, chemical transportation vehicles, long haul trucks, local haul trucks, emergency vehicles, and the like. The icons can represent any mobile or potentially mobile entity or the like (column 4 lines 36-49). Prabhakaran, for purposes of example, chooses to use a delivery service to illustrate the invention. One of ordinary skill in the art at the time of the invention would easily see how the invention is applied to tour

Art Unit: 3663

buses, i.e. "pick up and delivery locations" are translatable to the "getting-on/off" point specified in the claim language. Further, these icons are available for display at the management center of Prabhakaran (main process manager, abstract).

Again, Prabhakaran has disclosed a point setting means, in which the user can input their desired pick-up location and delivery location. The caller may select a particular location by depressing a unique input number, alphanumeric character, or combination thereof, or the like corresponding to the location. The computer aided dispatch system automatically inputs such caller identification, pick-up location, and delivery location features into memory.

Next, the management center sends the information via wireless means to a dispatch center.

Additionally, the computer aided dispatch system updates the order record with time information such as a dispatch time, a pick-up time, and a delivery time as such times (or in real time) (column 35 lines 13-33). Thus, it is disclosed, or at least suggested, that the management center is notified when the user selected location has been reached.

Further, Prabhakaran discloses that as a fleet mobile unit reaches a prescribed destination, the mobile unit transmits all pertinent information to the management center/dispatch, or the like (column 37 lines 37-52).

Prabhakaran discloses that the user is to be notified (via billing) when their order is completed (column 36 lines 1-13), which suggests that when the invention is adapted to be utilized in a touring bus notification function, the user will be notified when the bus

arrives a predefined (by the user) point. However, it is noted that this citation only provides that the user will be notified a few hours after the arrival.

To more reasonably detail the user notification feature, the Examiner relied on the prior art of Jones to teach said embodiment.

As cited in the last office action, Jones teaches an advance notification system (10) and method notifies passengers of impending arrival of a transportation vehicle (19), for example, a school bus, at a particular vehicle stop. The system (10) generally includes an on-board vehicle control unit (VCU) (12) for each vehicle (19) and a base station control unit (BSCU) (14) for making telephone calls to passengers in order to inform the passengers when the vehicle (19) is a certain predefined time period and/or distance away from the vehicle stop. The VCU (12) compares elapsed time and/or traveled distance to the programmed scheduled time and/or traveled distance to determine if the vehicle (19) is on schedule. If the vehicle (19) is behind or ahead of schedule, the VCU (12) calls the BSCU (14), which then adjusts its calling schedule accordingly. Significantly, a preset notification time period mechanism (9) in the BSCU (14) permits the passenger to contact the BSCU (14) in order to define a preset notification time period when the passenger is to receive a telephone call prior to arrival of a vehicle (19) at a vehicle stop to thereby indicate impending arrival of the vehicle (19) at the stop (abstract).

All of the components and methods are known in the above prior art. The only difference is a combination of these elements into a single device.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the more advanced arrival notification function of Jones onto the system of Prabhakaran, since both systems could be used in combination to produce the predictable result of notifying a fleet management center and user when a user-defined location has been reached.

Combining prior art elements according to known methods to yield predictable results is a rationale to support a conclusion of obviousness. See MPEP 2143(a).

Thus, claim 5 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Prabhakaran in view of Jones for those reasons cited above and in the previous office action, which are incorporated herein.

Applicant's arguments, see page 7, filed 26 March 2008, with respect to the rejection of claims 6-8 under 35 U.S.C. 103(a) have been fully considered but they are not persuasive.

The Applicant has contended that since claims 6-8 depend from the now allowable base claim 5, said claims are allowable.

The Examiner respectfully disagrees; independent claim 5 remains rejected, hence, claims 6-8 remain rejected under 35 U.S.C. 103(a) as obvious over unpatentable over Prabhakaran in view of Jones for those reasons cited above as well as the previous grounds discussed in the prior office action, which are incorporated herein.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **JONATHAN M. DAGER** whose telephone number is (571)270-1332. The examiner can normally be reached on 0830-1800 (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3663

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jonathan M Dager/
Examiner, Art Unit 3663
22 May 2008

/Jack W. Keith/
Supervisory Patent Examiner, Art Unit 3663